

1 NIAL E. LYNCH (State Bar No. 157959)
NATHANAEL M. COUSINS (State Bar No. 177944)
2 MAY Y. LEE (State Bar No. 209366)
BRIGID S. BIERMANN (State Bar No. 231705)
3 CHARLES P. REICHMANN (State Bar No. 206699)
Antitrust Division
4 U.S. Department of Justice
450 Golden Gate Avenue
5 Box 36046, Room 10-0101
San Francisco, CA 94102
6 Telephone: (415) 436-6660

7
8 Attorneys for the United States

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA)

14 v.)

15 THOMAS QUINN,)

16 Defendant.)

Case No. 06-0635 SI

STIPULATED NOTICE
OF RELATED CASE
IN A CRIMINAL ACTION;
and [~~PROPOSED~~] ORDER

17 UNITED STATES OF AMERICA)

18 v.)

19 SUN WOO LEE; YEONGHO KANG; and)
20 YOUNG WOO LEE,)

21 Defendants.)

Case No. CR 06-0180 PJH

22 UNITED STATES OF AMERICA)

23 v.)

24 D.S. KIM, C.K. CHUNG, K.C. SUH, and)
25 C.Y. CHOI,)

26 Defendants.)

Case No. CR 06-126 PJH

27
28 [CAPTION CONTINUES ON NEXT PAGE]

1 UNITED STATES OF AMERICA

2 v.

3 ELPIDA MEMORY, INC.,

4 Defendant.

Case No. CR 06-0059 PJH

5
6 UNITED STATES OF AMERICA

7 v.

8 SAMSUNG ELECTRONICS COMPANY,
9 LIMITED and SAMSUNG SEMICONDUCTOR,
10 INC.,

11 Defendants.

Case No. CR 05-643 PJH

12 UNITED STATES OF AMERICA

13 v.

14 HYNIX SEMICONDUCTOR INC.,

15 Defendant.

Case No. CR 05-249 PJH

16 UNITED STATES OF AMERICA

17 v.

18 INFINEON TECHNOLOGIES AG,

19 Defendant.

Case No. CR 04-299 PJH

20
21 UNITED STATES OF AMERICA

22 v.

23 T. RUDD CORWIN; HEINRICH FLORIAN;
24 GÜNTER HEFNER; and PETER SCHAEFER,

25 Defendants.

Case No. CR 04-397 PJH

26 Under Crim. L. R. 8-1, the United States and Thomas Quinn ("Defendant"), file this
27 Stipulated Notice of Related Case in a Criminal Action for this criminal case, United States v.
28

1 Thomas Quinn, CR 06-635 (SI) to seven previously filed criminal cases assigned to Judge
2 Phyllis J. Hamilton, United States v. Sun Woo Lee, et al., CR 06-180 (PJH), United States v.
3 D.S. Kim, et al., CR 06-126 (PJH), United States v. Elpida Memory, CR 06-0059 (PJH), United
4 States v. Samsung Electronics Company, Limited and Samsung Semiconductor, Inc., CR 05-643
5 (PJH), United States v. Hynix Semiconductor Inc., CR 05-249 (PJH), United States v. Infineon
6 Technologies AG, CR 04-299 (PJH), and United States v. T. Rudd Corwin, et al., CR 04-397
7 (PJH). The United States and Defendant jointly request relating this case to Judge Hamilton.

8 A chronological history of these related criminal cases follows. On September 15, 2004,
9 the United States filed an Information in United States v. Infineon Technologies AG, charging
10 Infineon with participating in a conspiracy to fix the prices of DRAM sold to certain computer
11 manufacturers. On October 20, 2004, Infineon pled guilty for participating in the price-fixing
12 conspiracy and was sentenced to pay a \$160 million fine before Judge Hamilton. On December
13 2, 2004, the United States filed an Information in United States v. T. Rudd Corwin, et al.,
14 charging four individual defendants with participating in the same price-fixing conspiracy in the
15 DRAM industry. On December 15, 2004, Judge Hamilton sentenced each of the four
16 individuals. On April 21, 2005, the United States filed an Information in United States v. Hynix
17 Semiconductor Inc., charging Hynix with participating in the DRAM price-fixing conspiracy.
18 On May 11, 2005, Hynix pled guilty for participating in the price-fixing conspiracy and was
19 sentenced by Judge Hamilton to pay a \$185 million fine. On October 13, 2005, the United
20 States filed an Information in United States v. Samsung Electronics Company, Limited and
21 Samsung Semiconductor, Inc., charging Samsung with participating in the DRAM price-fixing
22 conspiracy. On November 30, 2005, Samsung pled guilty for participating in the price-fixing
23 conspiracy and was sentenced by Judge Hamilton to pay a \$300 million fine. On January 30,
24 2006, the United States filed an Information in United States v. Elpida Memory, Inc., charging
25 Elpida with participating in the DRAM price-fixing conspiracy. On March 22, 2006, Elpida
26 pled guilty for participating in the DRAM price-fixing conspiracy and was sentenced by Judge
27 Hamilton to pay an \$84 million fine. On March 1, 2006, the United States filed an Information
28

1 in United States v. D.S. Kim et al., charging four individual defendants with participating in the
2 DRAM price-fixing conspiracy. On March 15, 2006, Judge Hamilton sentenced each of the
3 four individuals. Finally, on March 22, 2006, the United States filed an Information in United
4 States v. Sun Woo Lee, et al., charging three individual defendants with participating in the
5 DRAM price-fixing conspiracy. On April 2, 2007, Judge Hamilton sentenced two of the three
6 individuals, Sun Woo Lee and Yeongho Kang. On August 30, Judge Hamilton sentenced the
7 third individual, Young Woo Lee.

8 The Information charges that Defendant participated in the DRAM price-fixing
9 conspiracy. There are common events and occurrences alleged in this case and the seven
10 predecessor cases pending before Judge Hamilton.

11 The assignment of this case to Judge Hamilton is therefore likely to conserve judicial
12 resources and to promote an efficient determination of the action.

13 Dated: October 6, 2006

14 Respectfully submitted,

15 THOMAS QUINN

U.S. DEPARTMENT OF JUSTICE

16
17 BY: Harriet Leva by NEL
18 Brian O'Neill
19 Harriet Leva
20 Jones Day
21 555 South Flower Street
22 Fiftieth Floor
23 Los Angeles, CA 90071
24 Tel: (213) 489-3939
25 Fax: (213) 243-2539

BY: Niall E. Lynch
Niall E. Lynch, CA No. 157959
Nathanael M. Cousins, CA No. 177944
May Y. Lee, CA No. 209366
Brigid S. Biermann, CA No. 231705
Charles P. Reichmann, CA No. 206699
Trial Attorneys
U.S. Department of Justice
Antitrust Division
450 Golden Gate Avenue
Box 36046, Room 10-0101
San Francisco, CA 94102
Tel: (415) 436-6660
Fax: (415) 436-6687

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

THOMAS QUINN,

Defendant.

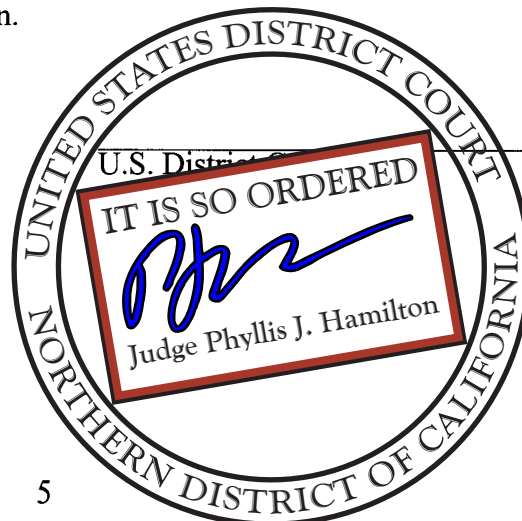
Case No. CR 06-0635

PROPOSED ORDER

RELATED CRIMINAL CASES

This Court has considered the Stipulated Notice of Related Cases in a Criminal Action under Crim. L. R. 8-1, jointly filed by the United States and defendant Thomas Quinn. Because the assignment of United States v. Thomas Quinn to Judge Phyllis Hamilton is likely to conserve judicial resources and promote an efficient determination of the action, it is ordered that this case is transferred to Judge Hamilton.

Date: October 10, 2006



CERTIFICATE OF SERVICE

I, Niall E. Lynch, certify:

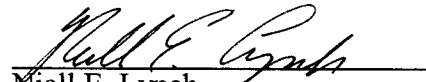
That I am a citizen of the United States and am employed by the U.S. Department of Justice, Antitrust Division, at 450 Golden Gate Avenue, Room 10-0101, San Francisco, CA 94102; I am over the age of eighteen years; and am not a party to the within action.

That on October 6, 2006, I sent by fax and United States mail a copy of the following pleadings to the party listed in the foregoing Stipulation.

1. Stipulated Notice of Related Cases in a Criminal Action

2. [Proposed] Order on Stipulated Notice of Related Case in a Criminal Action

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 6, 2006, at San Francisco, California.


Niall E. Lynch